

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 12, 2018

SEAN F. McAVOY, CLERK

U.S.A. vs.

Garza, Albert Issiah

Docket No.

0980 2:17CR00229-008

Petition for Action on Conditions of Pretrial Release

COMES NOW Curtis G. Hare, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Albert Issiah Garza, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 18th day of December 2017 under the following conditions:

Standard Condition #9: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

Violation #1: On October 17, 2018, Mr. Garza violated the conditions of release by testing positive for the use of marijuana.

On December 21, 2017, a probation officer reviewed the release conditions with Mr. Garza. Mr. Garza signed the copies of the conditions indicating that he fully understood the conditions.

On October 17, 2018, Mr. Garza submitted to urine drug testing. The sample tested presumptively positive for the use of marijuana and was sent to Abbott Laboratory for confirmation testing. On October 24, 2018, the sample was confirmed positive for the use of marijuana by the laboratory.

Violation #2: On November 7, 2018, Mr. Garza violated the conditions of release by testing positive for the use of marijuana.

On December 21, 2017, a probation officer reviewed the release conditions with Mr. Garza. Mr. Garza signed the copies of the conditions indicating that he fully understood the conditions.

On November 7, 2018, Mr. Garza submitted to urine drug testing. The sample tested presumptively positive for the use of marijuana and was sent to Abbott Laboratory for confirmation testing. On November 12, 2018, the sample was confirmed positive for the use of marijuana by the laboratory.

On October 29, 2018, the probation officer met with Mr. Garza to discuss the positive October 17, 2018, drug test. Mr. Garza admitted to the drug use. Mr. Garza was encouraged to avoid further drug use. On December 4, 2018, the probation officer again spoke with Mr. Garza and he felt counseling would be helpful. Mr. Parkins, the defendant's attorney, agreed with the proposed modification to add a substance abuse treatment condition.

It is respectfully recommended that the attached modification be approved and that no further action be taken at this time.

Re: Garza, Albert Issiah

December 11, 2018

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 11, 2018

by s/Curtis G. Hare

Curtis G. Hare
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

December 12, 2012

Date